

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 11th October, 2024

CALLED FOR DIRECTION:

29. TP/1077/2024
[Original]
(ECHCBM02167792023)
with
WILL/364/2024

) Ms. Samiksha J. Ludbe, Adv. i/b. Mahesh Damodar Pol for
) the Petitioner.

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) P. C. : 1. Perused Petition which is filed online.
) Heard Ld. Advocate for the Petitioner. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by the
) Petitioner Rajesh Nandlal Sahjwani being
) one of the Executors named under the Will
) of the deceased. Deceased Yogesh Nandlal
) Sahjwani, said to have died at Mumbai on
) 14.11.2019. Copy of Death Certificate is
) annexed to the Petition. Copy of Aadhaar
) Card of the deceased as ID Proof is annexed
) to the petition.

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) 2. Ms. Ludbe, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 15.05.2014. The
) said Will is in English language.

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) 3. Ms. Ludbe, Advocate for the Petitioner
) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted that the mother of the deceased
) predeceased the deceased. Deceased being
) unmarried had no children i.e. no son and
) no daughter. Save and except as mentioned
) in para -9, there are no other legal heirs
) and next of kin left by the deceased. The Ld.
) Adv. for the Petitioner submits that the

) Delay caused in filing of the present Petition
) is on account of the fact that after demise of
) the deceased somewhere in March, 2020 a
) nationwide lockdown was declar'ed due to
) pandemic of Covid-19 disease, due to which
) the Petitioner could not file the present
) Petition within the period of limitation and
) only after relaxation conditions decided to
) preferred and accordingly filed the present
) Petition before this Hon'ble Court. Hence
) this Hon'ble Court in the interest of Justice
) may condone the delay caused in filing of
) the present petition. Thus, the delay is
) explained.
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) 4. Petitioner's Oath is filed. The Other
) executor Pawan Vikram Sahjwani has filed
) affidavit dated 24.08.2023 renouncing his
) rights as executor. Consent Affidavit of
) father of the deceased as mentioned in para
) 8 is on record. Affidavits of Anand Nanik
) Lulla and Sunil Nandlal Chawla, both the
) attesting witnesses to the Will are filed.
) Affidavit of service of General Citation is
) filed. All Affidavits are filed online. All other
) legal formalities are complied with. Hence,
) Petition is granted.
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) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
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11.10.2024

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